



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|-------------|----------------------|---------------------|------------------|
| 09/421,363 | 10/19/1999 | GEE-GWO MEI | YO999-349 | 4029 |
| 48150 | 7590 | 11/23/2005 | EXAMINER | |
| MCGINN INTELLECTUAL PROPERTY LAW GROUP, PLLC | | | ANWAH, OLISA | |
| 8321 OLD COURTHOUSE ROAD | | | ART UNIT | |
| SUITE 200 | | | PAPER NUMBER | |
| VIENNA, VA 22182-3817 | | | 2645 | |

DATE MAILED: 11/23/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | | |
|------------------------------|--------------------------------------|-----------------------------------|--|
| Office Action Summary | Application No. 09/421,363 | Applicant(s) MEI ET AL. | |
| | Examiner Olisa Anwah | Art Unit 2645 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 August 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 and 12-42 is/are pending in the application.
- 4a) Of the above claim(s) 11 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-42 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

INTRODUCTION

1. In view of the Appellant's Brief filed on 8/1/2005, PROSECUTION IS HEREBY REOPENED. Because claim 11 was improperly rejected, new grounds of rejection are set forth below.

To avoid abandonment of the application, appellant must exercise one of the following two options:

(1) file a reply under 37 CFR 1.111 (if this Office action is non-final) or a reply under 37 CFR 1.113 (if this Office action is final); or,

(2) request reinstatement of the appeal.

If reinstatement of the appeal is requested, such request must be accompanied by a supplemental appeal brief, but no new amendments, affidavits (37 CFR 1.130, 1.131 or 1.132) or other evidence are permitted. See 37 CFR 1.193(b)(2).

2. The After Final Amendment filed 1/28/2005 has been entered.

3. A month ago, the Examiner informed the Applicant's Attorney that the claims filed on 1/28/5 would be allowed if the independent claims were amended to recite, "a plurality of shortcut paths including an option for changing said plurality

Art Unit: 2645

of shortcut paths in said personalized IVR dialogue menu".

However, no official response has been received from the

Applicant regarding the above suggestion.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

5. Claims 1-4, 6-8, 10, 12, 15-26, 28-32, 36, 37 and 42 are rejected under 35 U.S.C § 103(a) as being unpatentable over Polcyn et al, U.S. Patent No. 6,061,433 (hereinafter Polcyn) in view of Hanson, U.S. Patent No. 6,016,336 (hereinafter Hanson).

Regarding claim 1, Polcyn discloses a method for personalizing an interactive voice response (IVR) system to reduce a number of key sequences to reach a desired source of information (col. 2, lines 30-35), comprising:

storing a caller profile (col. 2, lines 40-50);

accessing said IVR system via a telephone (305 from Figure 3); and

Art Unit: 2645

retrieving the caller profile to construct a personalized IVR dialogue menu and play out the personalized IVR dialogue menu via said telephone (see Figure 3), said personalized IVR dialogue menu comprising:

a plurality of shortcut paths (321-325 from Figure 3);

and

an option for changing said plurality of shortcut paths in said personalized IVR dialogue menu (345 from Figure 3),

wherein said personalized IVR dialogue menu is at least one of based on a caller access pattern (321) and configurable by said caller (345).

With further respect to claim 1, Polcyn does not teach the personalized IVR dialogue menu is constructed by performing a tree-based collapsing. All the same, Hanson shows this feature (compare Figures 1 and 2). Like Figure 7 of Applicant's disclosure, Figure 1 of Hanson shows a standard menu. Similar to Figure 8 of Applicant's disclosure, Figure 2 of Hanson is the resultant simplified personalized menu because nodes B, C and D have been pruned. Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Polcyn with the truncated menu transcript of Hanson. This

Art Unit: 2645

modification would have immensely improved the convenience of Polcyn by solving the problem of having to repeatedly navigate through a complex, multi-layered menu of a call management system as stipulated by Hanson (see column 1, lines 40-45).

Regarding claim 2, see col. 2, line 66 to col. 3, line 10 of Polcyn.

Regarding claim 3, see col. 6, lines 59-64 and Figure 4 of Polcyn.

Regarding claim 4, see col. 2, line 66 to col. 3, line 10 of Polcyn.

Regarding 5, Polcyn fails to disclose said shortcut is based on a most-recently accessed IVR pattern. However Hanson discloses this limitation (col. 4, lines 12-14). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Polcyn with the shortcut taught by Hanson. This modification would have improved the convenience of Polcyn by directing incoming calls from individual callers to one or more preferred applications based on each caller's past usage as suggested by Hanson and Polcyn.

Regarding claim 6, see col. 4, lines 34-44 of Polcyn.

Art Unit: 2645

Regarding claim 7, see col. 6, lines 59-64 of Polcyn.

Regarding claim 8, see col. 6, lines 59-64 of Polcyn.

Regarding claim 9, Polcyn does not explicitly teach the network comprises at least one of a World-Wide-Web (WWW), an intranet, and a personal area network. However Hanson discloses this limitation (col. 3, lines 1-4). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Polcyn with the network taught by Hanson. This modification would have improved the flexibility of Polcyn by allowing the system to run on any network for connecting a caller to an end point as suggested by Hanson.

Regarding claim 10, see col. 4, lines 15-25 of Polcyn.

Regarding claim 12, see col. 4, lines 34-44 of Polcyn.

Regarding claim 15, see Figure 3 of Polcyn.

Claim 16 is rejected for the same reasons as claim 1.

Regarding claim 17, see Figure 3 of Polcyn.

Regarding claim 18, see Figure 1 of Polcyn.

Regarding claim 19, see column 3 and Figure 3 of Polcyn.

Regarding claim 20, see column 6 of Polcyn.

Art Unit: 2645

Regarding claim 21, see col. 2, lines 50-56 of Polcyn.

Regarding claim 22, see col. 4, lines 34-44 of Polcyn.

Regarding claim 23, see Figure 3 of Polcyn.

Regarding claim 24, see col. 6, lines 59-64 of Polcyn.

Regarding claim 25, see Figures 1 and 3 of Polcyn.

As per claim 26, Polcyn discloses a system for personalizing an interactive voice response (IVR) system to reduce a number of key sequences to reach a desired source of information (col. 2, lines 30-35), comprising:

a storage for storing a caller profile (col. 2, lines 40-50); and

a retrieval unit for retrieving the caller's profile to construct a personalized IVR dialogue menu and play-out the personalized menu (see Figure 3), said retrieval unit being selectively interfaced with a network and a public switch telephone network (see Figure 1), and said personalized IVR dialogue comprising:

a plurality of shortcut paths (321-325 from Figure 3); and

an option for changing said plurality of shortcut paths in said personalized IVR dialogue menu (345 from Figure 3),

Art Unit: 2645

wherein said retrieval unit includes:

a telephone interface module for selectively interfacing with said PSTN and for selectively receiving a predetermined tone (col. 6, line 30) and a voice input (col. 3, lines 45-50) from said caller via the PSTN, said telephone interface module selectively transmitting at least one of synthesized and stored voice messages to said caller via the PSTN,

wherein said personalized IVR dialogue menu is configurable by said caller through the PSTN via said telephone interface module (345 from Figure 3),

wherein said retrieval unit further includes:

a network interface module for communicating with external systems via the network to retrieve information for the IVR system to playback via said telephone interface module (see Figure 1),

wherein said network interface module presents a configurable menu to the caller via the network for the caller to specify the caller's personalized dialogue menu (345 from Figure 3), and

wherein the network interface module parses text messages (col. 4, lines 15-25) into a predetermined format such that the

Art Unit: 2645

parsed text messages are used to interact with the caller through said telephone interface module.

With further respect to claim 26, Polcyn does not teach the personalized IVR dialogue menu is constructed by performing a tree-based collapsing. All the same, Hanson shows this feature (compare Figures 1 and 2). Like Figure 7 of Applicant's disclosure, Figure 1 of Hanson shows a standard menu. Similar to Figure 8 of Applicant's disclosure, Figure 2 of Hanson is the resultant simplified personalized menu because nodes B, C and D have been pruned. Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Polcyn with the truncated menu transcript of Hanson. This modification would have immensely improved the convenience of Polcyn by solving the problem of having to repeatedly navigate through a complex, multi-layered menu of a call management system as stipulated by Hanson (see column 1, lines 40-45).

Claim 27 is rejected for the same reasons as claim 9.

Claim 28 is rejected for the same reasons as claim 1.

Regarding claim 29, see 345 from Figure 3 of Polcyn.

Regarding claim 30, see col. 4, lines 34-44 of Polcyn.

Regarding claim 31, see col. 4, lines 34-44 of Polcyn.

Art Unit: 2645

Regarding claim 32, see col. 4, lines 34-44 of Polcyn.

Regarding claim 36, see Figure 3 of Polcyn.

Regarding claim 37, see col. 6, lines 55-65 of Polcyn.

Regarding claim 42, see Figure 3 of Polcyn.

6. Claims 13 and 14 are rejected under 35 U.S.C § 103(a) as being unpatentable over the combination of Polcyn and Hanson in further view of Csaszar, U.S. Patent No. 5,970,124 (hereinafter Csaszar).

Regarding claim 13, the combination of Polcyn and Hanson does not disclose inserting an advertisement into said caller's personalized dialogue menu, based on the caller's IVR past accessing patterns, during said caller's navigation of said personalized IVR dialogue. Csaszar discloses a directed advertisement system that can be used to offset the costs associated with providing an IVR system (column 2, lines 8-14). Csaszar discloses a student grade retrieval by phone example. When a student calls the IVR system to retrieve grades, the student is prompted for an ID number. A list of advertising messages is played to the student. An indication is returned to the server whether the student responded to any offer presented by the IVR (column 8, lines 55-67 and column 9, lines 1-9). The server uses the information returned from the IVR to make sure

Art Unit: 2645

the student does not receive the same advertisement again (accessing patterns) when calling again (column 9, lines 1-9). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to further modify the combination of Polcyn and Hanson to include inserting an advertisement into said caller's personalized IVR dialogue menu, based on the caller's IVR past accessing patterns, during said caller's navigation of said personalized IVR dialogue menu, as taught by Csaszar. This modification would have improved the system's convenience by providing advertisers and marketers with the ability to direct advertisements to customers who are most interested in a product or service as suggested by Csaszar.

With further respect to claim 14, the combination of Polcyn and Hanson does not teach the inserting of said advertisement is based on contents of said menu that the caller has accessed. Nonetheless Csaszar teaches a grade retrieval example with advertisement insertion. All advertisement insertion is based on the student grade menu (contents of menu - grades retrieval) that the student has accessed (column 8, lines 55-67 and column 9, lines 1-22). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to further modify the combination of Polcyn and Hanson to include

Art Unit: 2645

the inserting of said advertisement is based on contents of said menu that the caller has accessed. This modification would have improved the system's convenience by providing advertisers and marketers with the ability to direct advertisements to customers who are most interested in a product or service as suggested by Csaszar.

7. Claims 33-35 are rejected under 35 U.S.C § 103(a) as being unpatentable over Polcyn combined with Hanson in further view of Partridge, U.S. Patent No. 5,933,484 (hereinafter Partridge).

Regarding claim 33, the combination of Polcyn and Hanson does not explicitly disclose said option for changing said plurality of shortcuts in said personalized IVR dialogue menu, comprises an option for changing said personalized menu to include a selected shortcut. However Partridge discloses this limitation (see Figure 3). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to further modify the combination of Polcyn and Hanson with an option to include a selected shortcut as taught by Partridge. This modification would have improved the system's convenience by allowing a caller to change the order of presentation as suggested by Polcyn.

Art Unit: 2645

Regarding claim 34, the combination of Polcyn and Hanson does not explicitly disclose said option for changing said plurality of shortcuts in said personalized IVR dialogue menu comprises an option for selecting a sequence of direct dialogue paths to be included in said personalized menu. However Partridge discloses this limitation (see Figure 3). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to further modify the combination of Polcyn and Hanson with the option taught by Partridge. This modification would have improved the system's convenience by allowing a caller to change the order of presentation as suggested by Polcyn.

Regarding claim 35, the combination of Polcyn and Hanson fails to disclose the option for changing said plurality of shortcuts in said personalized IVR dialogue menu comprises an option for changing said personalized IVR dialogue menu before navigating said personalized IVR dialogue menu during a current call. However Partridge discloses this limitation (see Figure 3). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to further modify the combination of Polcyn and Hanson with the option taught by Partridge. This modification would have improved the

Art Unit: 2645

system's convenience by allowing a caller to change the order of presentation as suggested by Polcyn.

8. Claim 38 is rejected under 35 U.S.C § 103(a) as being unpatentable over Polcyn combined with Hanson and Csaszar in further view of Partridge.

On the subject matter of claim 38, the combination of Polcyn and Hanson shows a specification of said personalized IVR dialogue is performed over a network comprising at least one of a World-Wide-Web (WWW), an intranet, and a personal area network (PAN) (see col. 3, lines 1-4 of Hanson). The combination of Polcyn and Hanson fails to teach the claimed inserting feature. However Csaszar discloses this limitation (see columns 8 and 9). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to further modify the combination of Polcyn and Csaszar with the inserting limitation shown by Csaszar. This modification would have improved the convenience of Polcyn by providing advertisers and marketers with the ability to better direct advertisements to customers who are most interested in a product or service as suggested by Csaszar.

Further regarding claim 38, the combination of Polcyn, Hanson and Csaszar does not explicitly disclose the option for

Art Unit: 2645

changing said plurality of shortcuts in said personalized IVR dialogue menu, comprises an option for changing said personalized menu to include a selected shortcut. However Partridge discloses this limitation (see Figure 3). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to further modify the combination of Polcyn, Hanson and Csaszar with an option to include a selected shortcut as taught by Partridge. This modification would have improved the user friendliness by allowing a caller to change the order of presentation as suggested by Polcyn.

9. Claims 39 and 40 are rejected under 35 U.S.C § 103(a) as being unpatentable over Polcyn combined with Hanson in further view of Partridge.

As per claim 40, the combination of Polcyn and Hanson does not explicitly teach the claimed option of claim 40. However Partridge discloses this limitation (see Figure 3). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to further modify the combination of Polcyn and Hanson with an option to include a selected shortcut as taught by Partridge. This modification

Art Unit: 2645

would have improved user friendliness by allowing a caller to change the order of presentation as suggested by Polcyn.

Claim 39 is rejected for the same reasons as claim 40.

10. Claim 41 is rejected under 35 U.S.C § 103(a) as being unpatentable over the combination of Polcyn and Hanson in further view of Keshav, U.S. Patent No. 5,864,605 (hereinafter Keshav).

With respect to claim 41, the combination of Polcyn and Hanson fails to disclose wherein upon electing said option for changing said plurality of shortcut paths, said system provides a dialogue for allowing said caller to use said telephone to input user-defined shortcuts via key sequences based on key-to-shortcut mapping. However Keshav discloses this limitation (see abstract). For this reason, it would have been obvious to one of ordinary skill in the art at the time the invention was made to further modify the combination of Polcyn and Hanson with the single dialing button sequence of Keshav. This modification would have improved the system's convenience by allowing popular sequences of touchstone buttons used by many callers to be reconfigured into a single shortcut button to obtain the desired action or attendant service as suggested by Keshav (column 1, lines 10-30).

Art Unit: 2645

Response to Arguments

11. Applicant's arguments have been considered but are deemed to be moot in view of the new grounds of rejection.

Conclusion

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Olisa Anwah whose telephone number is 571-272-7533. The examiner can normally be reached on Monday to Friday from 8.30 AM to 6 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on 571-272-7547. The fax phone numbers for the organization where this application or proceeding is assigned are 571-273-8300 for regular communications and 571-273-8300 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 571-272-2600.

O.A.
Olisa Anwah
Patent Examiner
November 9, 2005


FAN TSANG
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600